IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA EASTERN DIVISION No. 4:17-CV-24-D

MELVIN EARL BANKS,)	
Plaintiff,)	
v.)	ORDER
JFK ESTATE'S,)	
Defendant.)	

Melvin Earl Banks ("Banks" or "plaintiff") filed this action pro se and paid the filing fee.

See [D.E. 1]. As explained below, the court dismisses Banks's complaint as frivolous.

Banks asserts jurisdiction based on: "JFK Estate's—I'm first borne son, I'm little boy kidnap for year's, they's hidden me from my father estate @ etc." Compl. [D.E. 1] 2. Banks complains that:

- 1. All JFK Estate's @ etc.
- 2. Index A–Z (All documents of the states.)
- 3. All family's picture's @ etc.
- 4. All name's of kid's of JFK @ other member's @ etc.

<u>See id.</u> Banks seeks the following relief: "All destroy @ damage's record's of JFK estate's @ all etc index's A-Z!!! All documents of JFK estate's @ etc." <u>Id.</u> at 3.

The standard used to evaluate the sufficiency of a pleading is flexible, "and a <u>pro se</u> complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers." <u>Erickson v. Pardus</u>, 551 U.S. 89, 94 (2007) (per curiam) (internal quotation marks omitted). <u>Erickson</u>, however, does not undermine the "requirement that a pleading contain 'more than labels and conclusions." <u>Giarratano v. Johnson</u>, 521 F.3d 298, 304 n.5 (4th Cir. 2008)

(quoting Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007)); see Ashcroft v. Iqbal, 556 U.S.

662, 677-83 (2009); Coleman v. Md. Court of Appeals, 626 F.3d 187, 190 (4th Cir. 2010), aff'd,

132 S. Ct. 1327 (2012); Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 255-56

(4th Cir. 2009); Francis v. Giacomelli, 588 F.3d 186, 193 (4th Cir. 2009).

Banks's complaint is incoherent. A district court has "the inherent authority . . . to ensure

that a plaintiff has standing, that subject matter jurisdiction exists, and that a case is not frivolous."

Gibson v. NSA, No. 6:15-132-HMH-JDA, 2015 WL 1519970, at *2 (D.S.C. Mar. 12, 2015)

(unpublished) (collecting cases), R&R adopted, 2015 WL 1520000 (D.S.C. Mar. 30, 2015)

(unpublished); see Mallard v. U.S. Dist. Court, 490 U.S. 296, 307-08 (1989).

In sum, the court DISMISSES the action as frivolous. The clerk shall close the case.

SO ORDERED. This 13 day of March 2017.

IAMES C. DEVER III

Chief United States District Judge